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Docket No.: 4838-002

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Antje GUPTA *et al.*

U.S. Patent Application No. 10/561,043

Filed: December 16, 2005

Confirmation No. 3865

Group Art Unit: N/A

Examiner: N/A

For: OXIDOREDUCTASE FROM PICHIA CAPSULATA

RESPONSE TO NOTICE TO FILE MISSING PARTS**Mail Stop Missing Parts**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Missing Parts of Application dated October 23, 2006, the period for response to which is set to expire on December 23, 2006. Submitted herewith are the following:

- Executed Declaration and Power of Attorney;
- Late Declaration Surcharge: \$130.00;
- Copy of Notice to File Missing Parts and
- International Preliminary Examination Report

Attached hereto is a credit card payment form in the amount of \$130.00, which covers the fees for the above listed items. Please charge any deficiencies in the enclosed fees to Deposit Account 07-1337 and direct any inquiries in connection with this application directly to the undersigned.

12/15/2006 HKAYPAGH 00000039 10561043

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130.00 OP

Respectfully submitted,

LOWE HAUPTMAN &amp; BERNER, LLP


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December 12, 2006

CERTIFICATION OF FACSIMILE TRANSMISSION  
I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMI-  
LE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE

ON THE DATE SHOWN BELOW

Candace Chambliss  
TYPE OR PRINT NAME OF PERSON SIGNING CERTIFICATION

SIGNATURE

DATE

571-273-8300

FACSIMILE NUMBER

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,043	Antje Gupta	4838-002

INTERNATIONAL APPLICATION NO.

PCT/EP04/05831

IA. FILING DATE	PRIORITY DATE
05/28/2004	06/18/2003

22429  
LOWE HAUPTMAN BERNER, LLP  
1700 DIAGONAL ROAD  
SUITE 300  
ALEXANDRIA, VA 22314

DOCKETED BY: Am  
DUE DATE: 12-23-06  
MISSING PARTS

CONFIRMATION NO. 3865

371 FORMALITIES LETTER



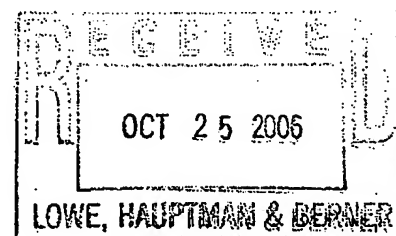
\*OC000000020931902\*

Date Mailed: 10/23/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/16/2005
- English Translation of the IA filed on 12/16/2005
- Copy of the International Search Report filed on 12/16/2005
- Copy of IPE Report filed on 12/16/2005
- Preliminary Amendments filed on 12/16/2005
- Information Disclosure Statements filed on 12/16/2005
- U.S. Basic National Fees filed on 12/16/2005
- Priority Documents filed on 12/16/2005
- Specification filed on 12/16/2005
- Claims filed on 12/16/2005
- Abstracts filed on 12/16/2005
- Paper nucleotide sequence listings filed on 12/16/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

• Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,043	PCT/EP04/05831	4838-002

FORM PCT/DO/EO/905 (371 Formalities Notice)

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